

IAP6 Rec'd PCT/PTO 25 SEP 2006

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Mail Stop PCT/Missing Requirements
Commissioner for Patents, P.O. Box 1450
Alexandria, VA 22313 on the date shown below:

Patent Application
Docket No. SPO-125
Serial No. 10/568,033

September 21, 2006

David Saliwanchik

David R. Saliwanchik, Patent Attorney

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Toshihiro Nakajima *et al.*
Serial No. : 10/568,033
Conf. No. : 2899
Filed : February 10, 2006
For : Therapeutic Preparation for Hematopoietic Disease

Mail Stop PCT/MISSING REQUIREMENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Sir:

The Applicants have received a Notification of Missing Requirements Under 35 U.S.C. 371 from the United States Designated/Elected Office (DO/EO/US), dated September 5, 2006 in the above-referenced patent application. The Notification requests that the applicants submit an executed Declaration and Power of Attorney form. Attached herewith is a fully executed Declaration and Power of Attorney form.

Please note that the Declaration and Power of Attorney form reflects the title as amended in the Preliminary Amendment dated February 10, 2006.

Docket No. SPO-125
Serial No. 10/568,033

The Notice has also requested that the applicants comply with Sequence Disclosure Requirements under 37 CFR §1.821.

Accordingly, attached is an Amendment under 37 CFR 1.825(a) through (c) & Submission of Sequence Listing on paper and in Computer Readable Format Under 37 CFR §1.821 (disk).

Please charge the surcharge of \$130.00 for the late-filed Declaration (37 CFR 1.63) to Deposit Acct. No. 19-0065.

The Commissioner is hereby authorized to charge any additional fees that may be required to Deposit Account No. 19-0065. Two copies of this letter are enclosed.

Respectfully submitted,



David R. Saliwanchik
Patent Attorney
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Gainesville, FL 32614-2950

09/27/2006 GFREY1 00000082 190065 10568033
01 FC:1617 130.00 DA

DRS/la

Attachments: Two copies of Transmittal Letter;
Executed Declaration (37 CFR 1.63) and Power of Attorney form;
Amendment under 37 CFR 1.825(a) through (c) & Submission of Sequence Listing
under 37 CFR §1.821;
Sequence Listing on paper and in computer readable format (disk); and
Copy of Notification of Missing Requirements.

COPY



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/568,033	Toshihiro Nakajima	SP0125

INTERNATIONAL APPLICATION NO.

PCT/JP04/11951

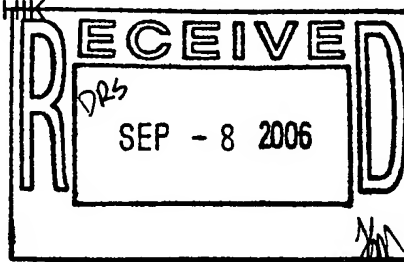
I.A. FILING DATE	PRIORITY DATE
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08/13/2004

08/13/2003

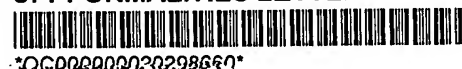
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CONFIRMATION NO. 2899

371 FORMALITIES LETTER



Date Mailed: 09/05/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/10/2006
- Copy of the International Search Report filed on 02/10/2006
- Preliminary Amendments filed on 02/10/2006
- Oath or Declaration filed on 02/10/2006
- Request for Immediate Examination filed on 02/10/2006
- U.S. Basic National Fees filed on 02/10/2006
- Specification filed on 02/10/2006
- Claims filed on 02/10/2006
- Abstracts filed on 02/10/2006
- Drawings filed on 02/10/2006
- Paper Computer Listings filed on 02/10/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130 Surcharge.**
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6945 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov**

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FREDERICK SMITH

Telephone: (703) 308-9140 EXT 210

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/568,033	PCT/JP04/11951	SPO125

FORM PCT/DO/EO/905 (371 Formalities Notice)